

**Ashfield Conservation Commission
Wednesday, August 13, 2014**

Members Present: Lester Garvin, Chair (LG) Phil Lussier (PL) Brian Clark (BC)	Members Absent: Janet Clark (JC) Dave Fessenden (DF)
Others Present: Anne Madocks, Scribe	

7:40 PM Meeting called to order by Chair

1. Review minutes of 7/23/14. PL noted a few grammatical corrections. BC moved to approve as amended, PL seconded, unanimous.
2. Pantermehl Determination of Applicability – PL read an email from Mark Stinson stating the applicant checked on the Request for Determination of Applicability Form the “local wetland bylaw” box rather than “jurisdiction to Wetlands Protection Act”, and thus the applicant needs to resubmit the RDA form. LG will seek to have the applicant correct this administrative mistake. The Commission held a public hearing for the RDA at the 7/23/14 meeting with applicant present, and closed the hearing. The Commission will issue a Negative Determination of Applicability with conditions including silt fence and storage of materials on opposite side of yard from stream.
3. LG Dave Fessenden and LG had a site visit at Powers on Smith Road. A real estate transfer is pending and needed a Certificate of Compliance (COC) from a 1991 Order of Conditions. Not possible to know what was done 23 years ago. PL Commission cannot act independently from the landowner. LG We must wait until the landowner makes a request for the COC. LG reviewed the original file, and looked at site conditions, and no COC in the file. Phil Pless was provided the COC.

PL Louis Pagano requested a COC and Commission needs to act upon it. PL did the site visit on his own.

4. DF and LG Conducted a site visit to Double Edge Theater at Route 116 and the South River. LG presented orthoimagery maps from 2001, 2005, 2010, and May 2014 for members to review for activity within the Riverfront Area. Changes since 2001 include a bridge, walkway, stone steps to the water, a 14-16’ stone monument, a septic system, and a new building. The septic system was constructed with an Order of Conditions. The new building was constructed sometime after 2005 as a horse stable. Past communications from the land owner assert this was an exempt agricultural activity. PL Case law under WPA has since said that boarding horses is not considered agricultural, but breeding of horses is. Recalls DEP said they would handle the issue, but no recollection that DEP provided any feedback to the Commission about end result. PL will email Mark Stinson about whether or not DEP is taking the lead with Double Edge Theater. Commission would like the theater to seek proper approval for their work under the Act.

5. LG Developed an Emergency Certification to Ray Gray along with Certificate of Compliance sent to Mark Stinson at DEP for tree removal in Ashfield Lake.
6. LG received a call from person next to Ray Gray. Wants to install a floating dock which will require a Chapter 91 Waterway License. Fee is \$215. LG will provide her the application, and leave a copy with Lynn, Assistant Town Clerk for other folks that are seeking licenses.
7. Update on Mary Quigley's South River Project – Mary contacted LG and stated owners want to replace the floor and a beam. This limited scope would not need the Commission's approval. LG will follow up with her.
8. Gail Abbott contacted LG about a new non-native invasive found in Ashfield Lake – Fanwort (*Cabomba caroliniana*). She is going to contact Aquatic Control Technologies (ACT) about treatment program recommendations and a price quote.
9. Online Building Permits
298 Briar Hill Road, Arnold Didonato: LG signed off on permit for demolition and reconstruction of burned structure. Completely outside of buffer zone, approximately 170'.

BC moved to adjourn meeting at 8:35, PL seconded, unanimous.

Respectfully submitted,
Anne Madocks, Scribe